

REMARKS

In the Office Action dated June 5, 2008, the Examiner objected to claims 37 and 38 as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants acknowledge with appreciation the allowability of these claims and have accordingly amended claims 37 and 38 to be in independent form.

The Examiner also reminded the Applicants of the proper language and format for an abstract. Applicants have accordingly amended the Abstract and have presented it in a single paragraph on a separate sheet and is now in proper form.

The Examiner rejected claims 1-10, 13-20, 22-30, 32-36, 42-53 under 35 USC § 102(b) as being anticipated by each of Publication No. JP 60-017283 ("Nishimura"), U.S. Patent No. 4,984,974 ("Naya"), and US Patent Application Publication No. 2002/0141882 ("Ingistov").

Applicants respectfully traverse these rejections and seek favorable reconsideration in view of the following remarks.

35 USC § 102(b) Rejections – Ingistov

The Examiner rejected independent claims 1 and 18 as anticipated by Ingistov. Notwithstanding the assertions of the Examiner to the contrary regarding the teachings of Ingistov, Ingistov does not disclose a pump, nor does Ingistov disclose a pump comprising each of the pump elements as claimed in rejected independent claims 1 and 18. Ingistov does disclose a compressor, but not a pump and for this reason alone does not anticipate independent claims 1 and 18. In addition, each of rejected claims 2-

8, 42, 43, 51 and 52 depend directly or indirectly from independent claim 1 and are not anticipated for at least the same reasons that claim 1 is not anticipated by Ingistov.

Similarly, each of rejected claims 13-17, 44-50 and 53 which depend directly or indirectly from independent claim 1, and rejected claims 19, 20 which depend from independent claim 18 are not anticipated by Ingistov for at least the same reasons that independent claims 1 and 18 are not anticipated by Ingistov.

The Examiner has furthermore rejected independent method claims 22 and 36 and dependent claims 23-30, 32-35 and 54 as inherent in the operation of Ingistov. Applicants respectfully submit each of these claims are directed to a method of managing deposits within a pump and accordingly are not anticipated by Ingistov.

#### 35 USC § 102(b) Rejections – Naya

The Examiner rejected independent claims 1 and 18 as anticipated by Naya. Applicants respectfully submit that Naya does not disclose a pump comprising each of the elements of claims 1 and 18 because Naya discloses the use of a purge gas addition to prevent deposition and not the addition of a fluid to act on or react with the deposits or particles previously formed on the surface of a stator or a rotor of the pump. Purging reduces the partial pressure of possible deposition compounds in the gas stream and therefore acts to limit and/or prevent them from depositing at all. Applicants respectfully submit that independent claims 1 and 18 are not anticipated by Naya.

Also, rejected claims 9-10 which depend from independent claim 1 are not anticipated by Naya for the same reason that claim 1 is not anticipated by Naya.

The Examiner has rejected independent method claims 22 and 36 and dependent claims 23-30, 32-35 and 54 under 35 USC 102(b) as inherent in the operation of the Naya device. Applicants submit that each of these claims are not directed to a method of managing deposits by the addition of a fluid to act on the

deposits previously formed in the pump and accordingly are not inherent in the operation of the Naya device.

35 USC § 102(b) Rejections – Nishimura

The Examiner rejected independent claims 1 and 18 as anticipated by Nishimura.

Notwithstanding the assertions of the Examiner to the contrary regarding the teachings of Nishimura, Applicants respectfully submit that Nishimura is directed to the prevention of the accumulation of impurities by preventing them from sticking on rotor surfaces or the inside of the casing of a pump. Nishimura does not disclose the removal of deposits, once formed from within the pump as claimed in claim 1 (“means for injecting a second fluid ..., wherein the second fluid acts on deposits on a surface of the rotor and a surface of the stator.”), and in claim 18 (“means for injecting a fluid ... wherein the fluid comprises a reactive substance for reacting with particulates on a surface of the rotor and a surface of the stator ...”) and therefore does not anticipate independent claims 1 and 18. Similarly, rejected claims 9-10 which depend from independent claim 1 are not anticipated for at least the same reasons that claim 1 is not anticipated by Nishimura.

The Examiner has similarly rejected independent claims 22 and 36, and dependent claims 23-30, 32-35 and 54 which depend from claim 22 as inherent in the operation of the Nishimura device. However, Nishimura does not disclose the removal of deposits, once formed, from within the pump as claimed in independent claim 22 (“injecting ... a ... fluid for acting on deposits on a surface of the rotor and a surface of the stator”), and as in independent claim 36, (the method of delivering a fluid for dissolving, diluting or disengaging deposits which have accumulated on the internal surfaces of a pump by, in part, calculating the rate of accumulation of the deposits on the internal surfaces, and calculating a rate of flow of fluid required to compensate for the accumulation of the deposits).

Applicants respectfully submit that neither claim 22 nor claim 36 are inherent in the operation of the Nishimura device. Similarly, claims 23-30, 32-35 and 54 which depend from claim 22 are not anticipated as inherent in the operation of the Nishimura device for at least the same reasons that independent claim 22 is not inherent.

35 USC § 103(a) Rejections – Naya

The Examiner rejected claims 11 and 12 as obvious in view of Naya. Applicants submit that claims 11 and 12 which depend directly from independent claim 1 are not rendered obvious because Naya neither discloses nor renders obvious independent claim 1 as discussed above nor does Naya achieve the present invention as claimed in claims 11 and 12 as well as claim 1.

In view of the foregoing remarks, Applicants respectfully submit that claims 1-20, 22-30, 32-36 and 42-54 are neither anticipated by nor rendered obvious by the cited references.